

**EXHIBIT B**

**G. Smolker E-Mail Correspondence to R. Higgins, dated March 16, 2021**

**Roger Higgins**

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**From:** Gary Smolker <gsmolker@aol.com>  
**Sent:** Tuesday, March 16, 2021 6:06 PM  
**To:** Roger Higgins  
**Cc:** joneill@pszjlaw.com  
**Subject:** SMOLKER Sanction Motion and HIGGINS Email Sent to SMOLKER at 8:05 a.m. today  
(March 16, 2021)

March 16, 2021

Mr. Higgins,

Thank you for your correspondence - sent to me this morning.

My printer used 132 pages of 8X11 paper to print OUT on paper pages the text of the email you sent me this morning.

Pages 1 through 131/132 contain the names of those who will be electronically mailed a copy of WHAT? Your email does not specify what is being sent electronically.

It does not specify which document or documents is/are being electronically mailed to the people listed on printed out pages 1 through 131 of your email.

Page 132 is blank.

Your email also states "NOTICE TO PUBLIC ACCESS USERS." I have no idea what that notice is referring to, if that notice applies to me, or what that notice is trying to convey.

In any event, I have not YET downloaded the attachments to your email.

I will do that tomorrow.

IN RESPONSE TO YOUR COMMENTS AND REQUEST FOR CONFIRMATION  
THAT MY SANCTION MOTION WILL BE FILED NO LATER THAN MAY 10, 2021

MY REQUEST FOR HEARING DATE, states: "*Smolker requests that the court set a hearing date at least 30 days after the Court hears and decides SMOLKER'S Motion for Court Order Compelling GRACE to Produce Documents.*"

The Court has not yet set a hearing date for SMOLKER'S Motion for Court Order Compelling GRACE to Produce Documents. SMOLKER'S Motion for Order Compelling GRACE to produce documents has not yet been filed with the court. The Court has not yet decided that motion on its merits.

Are the references above an adequate reply to your comments and request set forth below:

*"In your motion requesting that hearing date [Motion for Sanctions Hearing Date] you stated that you needed 60 days to file your motion.*

*"Based upon yesterday's docket entry date, that means you will be filing your motion no later than May 10, 2021.*

*"Please confirm by reply email that you will be filing your motion no later than May 10, 2021."*

#### ***ADDITIONAL RELEVANT INFORMATION***

I have filed a Motion to Strike GRACE'S supplemental letter brief. I don't know how or if the Court ruled on that motion.

I have filed a Request for Hearing Date on Motion to Set Trial Date. I don't know how or if the Court ruled on that motion.

#### **THE COURT'S OPINION AND ORDER**

At the present time, I have not read the Court's opinion (attached to your email) or the Court Order attached to your email.

Also, I don't know how or if the court ruled on my motion to strike GRACE'S supplemental brief, or how or if the Court responded to my request for the Court to set a hearing date for my motion to set a court trial date and a related case management order.

#### INABILITY TO CONFIRM

At the present moment I am unable to confirm when I will be filing my motion for sanctions.

I do not don't know when I will be filing my motion for sanctions.

#### COMPUTER EMAIL TROUBLES

I tried to reply to your email on the email you sent me.

For some reasons my computer did not allow me to do that.

I tried four times.

#### MY PRINTER

I feel fortunate that my printer had enough memory and held enough paper for me to be able to print out the text of your 132 page email.

#### FURTHER COOPERATIVE COLLABORATION

Feel free to call if you wish to discuss anything.

Very truly yours,

Gary S. Smolker, Claimant in Pro Per

Email: GSmolker@aol.com

Cell Phone: 1-310-749-9735

Office Phone: 1-828-788-7290

Gary Smolker  
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